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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/620,287	07/20/2000	Robert Samuel Smith	RSSU2	3438

7590 08/09/2004

Robert Samuel Smith  
1263 Emory Street  
San Jose, CA 95126

EXAMINER

BARNES, CRYSTAL J

ART UNIT	PAPER NUMBER
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2121

DATE MAILED: 08/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/620,287

Applicant(s)

SMITH, ROBERT SAMUEL

Examiner

Crystal J. Barnes

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 1-6 and 13-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7,8,10,11,16 and 17 is/are rejected.
- 7) ☒ Claim(s) 9,12 and 18 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 May 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. The following is a Final Office Action in response to Amendment received on 26 May 2004. Claims 1-6 and 13-15 have been cancelled. Claims 7-11 have been amended. Claims 17 and 18 have been added. Claims 7-12 and 16-18 are now pending in this application.

### *Drawings*

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference character(s) mentioned in the description: reference numbers 10, 18, 39 on page 7 first and second paragraphs are not shown in figure 1 and reference numbers 64 and 68 on page 14 first paragraph are not shown in figure 6.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: reference numbers 32A in figure 1, 44 in figure 4, 61 in figure 6 are not mentioned in the specification.

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4. The drawings are objected to as failing to comply with 37

CFR 1.84(p)(4) because reference characters "30" and "32" have both been used to designate detectors on page 7 third paragraph.

5. The drawings are objected to as failing to comply with 37

CFR 1.84(p)(4) because reference character "64" has been used to designate both panoramic camera and microphone on page 14 first paragraph.

6. Corrected drawing sheets, or amendment to the specification to add the reference character(s) in the description, are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

*Specification*

7. The abstract of the disclosure is objected to because of the typographical error ("1.") on line 2 and grammatical error (". " before "a") on line 3. Correction is required. See MPEP § 608.01(b).
8. The disclosure is objected to because of the following informalities: typographical errors (space between "fig. 4") on page 9 second line of last paragraph, (". " after "fig. 4") on page 10 sixth line of first paragraph on page 9 last line, (", " between "fig. 3,4") on page 11 fourth line of last paragraph.

*Claim Objections*

9. Claim 9 is objected to because of the following informalities: the period should be removed after the equation at the bottom of page 5. Appropriate correction is required.
10. Claim 17 is objected to because of the following informalities: the period should be removed and a space should be inserted between "sound" and "relative" at the bottom of page 9. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12. Claims 7, 8, 10, 11 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

13. Claim 7 recites the limitations "said plurality of detectors", "said detector", and "said array of detectors" in paragraphs 2, 7 and 8 of the claim. There is insufficient antecedent basis for this limitation in the claim. Claim 18 recites the limitation "audial detectors".

14. Claim 8 recites the limitation "said array of detectors" in line 2 of the claim. There is insufficient antecedent basis for this limitation in the claim. Claim 18 recites the limitation "audial detectors".

15. Claim 10 recites the limitations "said field of view, said lens" in line 4 of the claim. There is insufficient antecedent basis for this limitation in the

claim. Claim 17 recites the limitations "omnidirectional lens, 360° field of view".

16. Claim 10 recites the limitation "said signal selecting means" in line 5 from the bottom of the claim. There is insufficient antecedent basis for this limitation in the claim.

17. Claim 10 recites the limitation "said camera means" in lines 4 and 6 from the bottom of the claim. There is insufficient antecedent basis for this limitation in the claim.

18. Claim 11 recites the limitation "said signal selecting means" in line 4 from the bottom of the claim. There is insufficient antecedent basis for this limitation in the claim.

19. Claim 11 recites the limitation "said camera means" in lines 3 and 5 from the bottom of the claim. There is insufficient antecedent basis for this limitation in the claim.



20. Claim 17 recites the limitations "said field of view" in line 7 from bottom of page 9. There is insufficient antecedent basis for this limitation in the claim. Claim 17 recites the limitations "360° field of view" in line 2 of the claim.

*Response to Arguments*

21. Applicant's arguments, see Remarks page 16 first and second paragraphs, filed 26 May 2004, with respect to the rejections of claims 1, 10, 11, 14 and 15 under 35 U.S.C. 102(b) as being anticipated by USPN 5,594,494 to Okada et al. and claim 12 under 35 U.S.C. 103(a) as being unpatentable over USPN 5,594,494 to Okada et al. in view of US Pub. No. 2001/0015751 A1 to Geng have been fully considered and are persuasive. Therefore, the rejections have been withdrawn.

*Claim Rejections - 35 USC § 102*

22. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

23. Claim 16 is rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,593,956 B1 to Potts et al.

As per claim 16, the Potts et al. reference discloses a method for monitoring a conference of a group of conferees which comprises positioning said group of conferees (see column 6 lines 25-27, "speaker") at respective locations (see column 6 lines 28-32, "location of speaker relative to reference point") around a video camera means ("camera 14") having a field of view providing that each conferee ("speaker") is in said field of view of said camera means ("camera 14") wherein said camera means ("camera 14") has a video signal control (see column 6 lines 45-50, "audio and video signal processing unit 20") for projecting onto a video monitor (see column 6 lines 54-60, "receiving video conference system") a selected section of said video signal ("video signals 24") corresponding to a selected one of said locations ("location of speaker relative to reference point"); positioning at each location one of a group of audio detectors (see column 6 lines 17-22, "microphones 12"); arranging each said audio detector ("microphones 12") in operable combination with said camera means ("camera 14") to activate said video signal control ("audio and video signal processing unit 20") to project onto said video monitor ("receiving video conference system") an image ("video image") of said location ("location of speaker relative to reference point") when one of said conferees ("speaker") located at said location

("location of speaker relative to reference point") generates a sound ("audio signals 22") received by said respective audio detector ("microphones 12").

***Allowable Subject Matter***

24. The following is a statement of reasons for the indication of allowable subject matter:

As per claim 17, the prior art of record taken alone or in combination fail to teach a plurality of circuit means, one circuit means for each one audial detector, each circuit means arranged to provide that, when any one audial detector detects a sound coming from said 360° field of view before any other of said audial detectors detects said sound, then said circuit means coupled to said any one audial detector disables all other detectors of said plurality of audio detectors and emits a position signal providing that said any one audio detector emitting said position signal corresponds to said direction of said source of sound relative to said viewpoint.

***Response to Amendment***

25. Claim 16 remains rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,593,956 B1 to Potts et al.

26. Claims 7 and 8 were objected to as being dependent upon a rejected base claim, but would have been allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

*Conclusion*

27. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crystal J. Barnes whose telephone number is 703.306.5448. The examiner can normally be reached on Monday-Friday alternate Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 703.308.3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Ramesh Patel*  
RAMESH PATEL  
PRIMARY EXAMINER 8/4/04  
*For Anthony Knight*

cjb  
3 August 2004